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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/712,421	11/12/2003	Klaus-Dieter Hammer	ZOU-11	7611
7	590 05/15/2006		EXAMINER	
Richard S. Roberts			DANIELS, MATTHEW J	
Roberts & Mercanti, L.L.P. P.O. Box 484			ART UNIT	PAPER NUMBER
Princeton, NJ 08542-0484			1732	
			DATE MAILED: 05/15/200	6

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)				
	10/712,421	HAMMER ET AL.				
Office Action Summary	Examiner	Art Unit				
	Matthew J. Daniels	1732				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 25 Ja	anuary 2006.					
2a) This action is FINAL . 2b) ⊠ This	action is non-final.					
• =	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.				
Disposition of Claims						
4)⊠ Claim(s) <u>1-25</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdraw						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8)⊠ Claim(s) <u>1-25</u> are subject to restriction and/or €	election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examine	r.					
10)☐ The drawing(s) filed on is/are: a)☐ acce	epted or b) objected to by the I	Examiner.				
Applicant may not request that any objection to the						
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Ex						
Priority under 35 U.S.C. § 119						
12)⊠ Acknowledgment is made of a claim for foreign a)⊠ All b)□ Some * c)□ None of:	priority under 35 U.S.C. § 119(a))-(d) or (f).				
1. Certified copies of the priority documents	s have been received.					
2. Certified copies of the priority documents						
Copies of the certified copies of the prior		ed in this National Stage				
application from the International Bureau	· · · · · · · · · · · · · · · · · · ·					
* See the attached detailed Office action for a list	of the certified copies not receive	ed.				
Attachment(s)	_					
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 	4) 🔲 Interview Summary Paper No(s)/Mail Da					
Notice of Dransperson's Patent Drawing Review (P10-946) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date		ratent Application (PTO-152)				

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-11 and 23-25, drawn to a method, classified in class 264, subclass 563.
 - II. Claims 12-22, drawn to a system or apparatus, classified in class 425, subclass 94.
- 2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus can be used practice another and materially different process, such as washing and rinsing or drawn steel wire.
- 3. Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, recognized divergent subject matter, and because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Richard Roberts on 4 May 2006 to request an oral election to the above restriction requirement, but did not result in an election being made.
- 5. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

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6. The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

- 7. Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.
- 8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Daniels whose telephone number is (571) 272-2450. The examiner can normally be reached on Monday - Friday, 7:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJD 5/5/06

MICHAEL P. COLAIANNI SUPERVISORY PATENT EXAMINER